

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
 <b>KEVIN HAGAMIN</b> <b>BRIAN JONES</b>	 <b>:</b>	 <b>VIOLATIONS:</b> <b>18 U.S.C. § 656</b> <b>(bank embezzlement - 2 counts)</b> <b>18 U.S.C. § 2</b> <b>(aiding and abetting)</b> <b>18 U.S.C. § 1956</b> <b>(money laundering - 1 count)</b> <b>Notices of forfeiture</b>

**INFORMATION**

**COUNT ONE**

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this Information:

1. Defendant Kevin HAGAMIN was employed at Citizens Bank as an Assistant Manager, at the 18<sup>th</sup> Street Branch located at 1735 Market Street, Philadelphia, Pennsylvania, and at the Pendel Branch located at Route 1, Durham Road, Pendel, Pennsylvania, and was responsible for overseeing customer services and supervising tellers and other employees.
2. Citizens Bank is a financial institution, the accounts of which were insured by the Federal Deposit Insurance Corporation, certificate number 57282.

3. From on or about August 6, 2002 to on or about December 15, 2003, defendant HAGAMIN made improper withdrawals of funds and monies in the amount of \$587,394.43 from three customers' accounts belonging to "D.K.," "L.S." and "M.L.," persons known to the United States Attorney.

4. Defendant HAGAMIN deposited a portion of these funds, that is, approximately \$286,956.52 in the personal and business accounts of defendant Brian JONES.

5. On or about April 25, 2003 in the Eastern District of Pennsylvania and elsewhere, defendant

**KEVIN HAGAMIN,**

being an employee of Citizens Bank, the accounts of which were insured by the Federal Deposit Insurance Company, certificate number 57282, knowingly embezzled, abstracted, purloined and willfully misapplied, approximately \$25,752.21 of funds and monies intrusted to the custody and care of Citizens Bank from a checking account number ending in 506, belonging to "D.K.," a person known to the United States Attorney.

In violation of Title 18, United States Code, Section 656.

**COUNT TWO**

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 of Count One are incorporated here.
2. On or about April 25, 2003 in the Eastern District of Pennsylvania and elsewhere, defendant

**BRIAN JONES**

aided and abetted defendant KEVIN HAGAMIN, an employee of Citizens Bank, the accounts of which were insured by the Federal Deposit Insurance Company, certificate number 57282, in knowingly embezzling, abstracting, purloining and willfully misapplying approximately \$25,752.21 of funds and monies intrusted to the custody and care of Citizens Bank from a checking account number ending in 506, belonging to "D.K.," a person known to the United States Attorney.

In violation of Title 18, United States Code, Sections 656 and 2.

### **COUNT THREE**

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 of Count One are incorporated here.
2. From on or about December 30, 2002 to on or about December 15, 2003, defendant KEVIN HAGAMIN deposited approximately \$286,956.52 stolen from Citizens Bank into the personal and business accounts of defendant BRIAN JONES.
3. On or about December 30, 2002, in the Eastern District of Pennsylvania and elsewhere, defendant

#### **KEVIN HAGAMIN**

knowingly conducted a financial transaction affecting interstate commerce, that is, the withdrawal of \$14,477.23 from the account of "D.K.," a person known to the United States Attorney, and the deposit of \$13,592.12 to the account of defendant BRIAN JONES, knowing that the money involved in the transaction was the proceeds of some form of unlawful activity, that is, bank embezzlement in violation of Title 18, United States Code, Section 656, and knowing that these transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of the specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(1).

## **NOTICE OF FORFEITURE**

1. As a result of the violations of Title 18, United States Code, Section 656, as set forth in this Information, defendant

### **KEVIN HAGAMIN**

shall forfeit to the United States of America any property that constitutes, or is derived from proceeds obtained directly or indirectly from the commission of such offense, as charged in this Information, including but not limited to, the sum of \$587,394.43, and:

- (a) a 1989 silver 528I four-door BMW vehicle purchased in New Jersey in May 2003;
- (b) a bracelet and all jewelry purchased from Milan Jewelers; and
- (c) shoes purchased from Stiletto's Shoe store in Philadelphia.

All pursuant to Title 18, United States Code, Section 982(a)(2)(B).\_

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

## **NOTICE OF FORFEITURE**

1. As a result of the violation of Title 18, United States Code, Section 1956, set forth in this Information, defendant

### **KEVIN HAGAMIN**

shall forfeit to the United States of America any and all property involved in such offense(s), and any property traceable to such property, including, but not limited to, the sum of \$286,956.52, and:

- (a) a 1989 silver 528I four-door BMW vehicle purchased in New Jersey in May 2003;
- (b) a bracelet 2.5 CT and all jewelry purchased from Milan Jewelers on October 4, 2002, January 13, 2003 and January 14, 2003; and
- (c) shoes purchased from Stiletto's Shoe store in Philadelphia.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty.

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(1).

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**\_\_\_\_\_